

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Bankruptcy Case 21-22080-GLT
	:	(Jointly Administered)
ROCKDALE MARCELLUS HOLDINGS,	:	
and ROCKDALE MARCELLUS, LLC,	:	Chapter 11
	:	
<i>Debtors,</i>	:	
	:	
<hr/>	:	
UGI TEXAS CREEK, LLC and	:	
UGI ENERGY SERVICES, LLC,	:	
	:	
<i>Movants,</i>	:	
	:	
v.	:	Related to Dkt. No. 405
	:	
ROCKDALE MARCELLUS HOLDINGS,	:	
and ROCKDALE MARCELLUS, LLC,	:	
	:	
Respondents.	:	
	:	
	:	

ORDER

Upon review of the *Emergency Motion of UGI Texas Creek, LLC and UGI Energy Services, LLC to Continue the Hearing on Debtors’ Motion to Reject the Gathering Agreement and for a New Scheduling Order* (the “Motion”) [Dkt. No. 405] and the *Debtors’ Response to the Emergency Motion of UGI Texas Creek, LLC and UGI Energy Services, LLC to Continue the Hearing on Debtors’ Motion to Reject the Gathering Agreement and for a New Scheduling Order* [Dkt. No. 414], and after consideration of the parties’ arguments at a hearing held on November 19, 2021, and for good cause shown, it is hereby **ORDERED, ADJUDGED,** and **DECREED** that:

1. The *Motion* is **GRANTED** to the extent necessary to authorize expedited discovery on the *Debtors' Motion for Entry of an Order (I) Authorizing Rejection of Executory*

Contracts with UGI Texas Creek, LLC and UGI Energy Services, LLC, Effective September 21, 2021 and (II) Granting Related Relief, Pursuant to 11 U.S.C. § 365(a) (the “Rejection Motion”)

[Dkt. No. 332-2] in accordance with the following schedule:

- (a) To the extent UGI Texas Creek, LLC and UGI Energy Services, LLC (together, the “UGI Parties”) seek to propound written discovery requests upon the Debtors in connection with the *Rejection Motion*, they shall serve such requests on or before **November 23, 2021**.
- (b) The Debtors shall serve all responses to the written discovery requests by **November 30, 2021**.
- (c) To the extent any party seeks to take a deposition related to the *Rejection Motion*, it shall be completed on or before **December 8, 2021**.
- (d) The deadline for the UGI Parties to file a written response to the *Rejection Motion* is extended to **December 10, 2021 at 4 p.m.**

2. The hearing on the *Rejection Motion* scheduled for December 14, 2021 shall now be conducted as an evidentiary hearing.

- (a) On or before **December 13, 2021 at 1 p.m.**, the parties shall jointly file a *Joint Exhibit List* identifying all exhibits each party will offer at the evidentiary hearing. Objections to an exhibit must be referenced on the *Joint Exhibit List*. Exhibits that do not have an objection listed on the *Joint Exhibit List* will be admitted without further testimony. Any objections identified on the *Joint Exhibit List* will be resolved by the Court prior to the admission of the contested exhibit. No documents other than those listed as proposed exhibits on the *Joint Exhibit List* will be admitted at the time of the evidentiary hearing unless counsel shows cause for their prior nondisclosure. The mere inability to timely locate documents shall not constitute cause.
- (b) On or before **December 13, 2021 at 4 p.m.**, each party shall separately provide the Court with all exhibits proposed to be introduced at the evidentiary hearing. Each party shall provide the Court with three courtesy copies of their exhibits in three-ring binders, with each exhibit separately tabbed.¹

¹ Counsel shall be expected to provide additional copies to opposing counsel. The rings on the binders shall not exceed three inches.

3. In all other respects, the Motion is **DENIED**.

Dated: November 19, 2021

GREGORY L. TADDONIO
UNITED STATES BANKRUPTCY JUDGE

Case administrator to mail to:
Debtor
Christopher P. Schueller, Esq.
Timothy P. Palmer, Esq.
Benjamin I. Finestone, Esq.